

REMARKS

Reconsideration of the present application is respectfully requested.

Independent claims 41, 42 and 50 have been rejected over the prior art.

Each of those claims has been amended to more clearly define the groove 90 (Fig. 5) or 162 (Fig. 6) disposed in the band 60. Each groove 90 or 162 has a dimension in a first direction (i.e., length) or which intersects the inner and outer surfaces 63, 164, and a dimension in a second direction (i.e., a width) extending circumferentially. The dimension in the first direction is greater than a greatest dimension in the second direction. Also, the groove extends completely through the band in a third direction (i.e., a height) extending transversely relative to both of the first and second directions. Such a groove enables the segments of the band that are separated by the groove to deform toward one another during wear of the and (i.e., manganese steel, a typical material from which the band is formed, tends to expand when worn), thereby relieving stress on the concaves.

Each of claims 41, 42 and 50 has been rejected as anticipated by either Shafter U.S. Patent 2,594,080 or Symons U.S. Patent 1,776,454. Each of those two patents discloses grooves formed in a concave of a crushing machine. More specifically, Shafter discloses unnumbered grooves filled with a material (also unnumbered). Symons discloses a crushing liner D having grooves formed between ridges D3.

Neither Shafter nor Symons discloses grooves that extend completely through the band in the presently claimed third direction. Moreover, in each of Shafter and Symons, the grooves are wider than they are long, i.e., the grooves have a much greater dimension in the circumferential (second) direction than in the first direction. In Symons, the grooves are endless in the

circumferential direction and that is probably also true of Shafter's grooves (Shafter provides no description of his grooves), whereby it would be physically impossible for the grooves to have a greater dimension in the first direction than in the second direction as presently claimed.


Accordingly, it is submitted that claims 41 and 42 distinguish patentably over Shafter and Symons.

Attention is also directed to the fact that claim 50 recites that the groove is formed in the "outer" surface of the band. Hence, that claim cannot be rejected as anticipated by Symons, whose grooves are formed in the inner surface.

In light of the foregoing, it is submitted that the application is in condition for allowance.

Respectfully submitted,
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